

REMARKS

The foregoing Amendment and remarks which follow are responsive to the initial Office Action mailed January 18, 2001 in relation to the above-identified reissue application. In that Office Action, the Examiner indicated that Claims 1-9 were rejected under 35 U.S.C. § 251 as being based upon a defective reissue declaration. More particularly, the Examiner explained that since Claims 7-9 are broader in scope than the original claims, all inventors are required to complete a new reissue declaration, as opposed to only the assignee. The Examiner also indicated that the reissue declaration filed with the present reissue application was defective as failing to identify at least one error relied upon to support the reissue application.

In addition to the foregoing, the Examiner rejected Claim 7 under 35 U.S.C. § 112 due to Applicant's use of the word "ones" therein. Importantly, the Examiner indicated that Claims 1-9, now pending the present reissue application, contain allowable subject matter.

By this Amendment, Applicant has amended Claims 7 and 9 to eliminate usage of the term "ones" therein. Applicant respectfully submits that these modifications to Claims 7 and 9 have overcome the Examiner's Section 112 rejection as set forth in the initial Office Action.

Additionally, on page 1 of the reissue declaration executed by

the assignee and originally filed by the Applicant, the error upon which the reissue is based is described as:

"Since no apparatus claims were prosecuted in U.S. Application Serial No. 08/971,499 (the "'499 Application") which matured into the '353 Patent, Applicant respectfully submits that it is not barred from seeking the issuance of apparatus claims via the present reissue patent application."

The aforementioned passage was intended to characterize the error as Applicant's failure to prosecute apparatus claims in the '499 Application. To clarify the nature of the error and to address the Examiner's rejection based upon 35 U.S.C. § 251, submitted herewith for the Examiner's consideration is a reissue application declaration executed by five (5) of the six (6) inventors identified in the '353 Patent. In this inventor declaration, the error upon which reissue is based is described as "Applicant's failure to prosecute apparatus claims directed to a chip stack in U.S. Application Serial No. 08/971,499 which matured into U.S. Patent No. 5,869,353". Applicant respectfully submits that the submission of this declaration has overcome the Examiner's rejections under 35 U.S.C. § 251 and 37 CFR § 1.175(a)(1).

As indicated above, the reissue application declaration submitted herewith has been executed by five of the six inventors identified in the '353 Patent. More particularly, the declaration has not been executed by Aaron U. Levy due to Applicants' inability

to determine his current whereabouts. In this respect, appended to the declaration is the added page thereto under 37 C.F.R. § 1.47(a) executed by the remaining five joint inventors on behalf of the nonsigning inventor (Mr. Levy) who cannot be reached. Also submitted herewith is the Statement of Facts in support of the filing on behalf of the nonsigning inventor. As is explained in the Statement of Facts, a Certified Letter was forwarded to Mr. Levy at his last known address requesting that he execute the reissue application declaration. This Certified Letter was returned to Applicant due to Mr. Levy no longer being at the address specified on the Certified Letter. True and correct copies of the front and back of returned Certified Letter envelope are appended to the Statement of Facts. Applicant respectfully submits that the submission of these various documents with the reissue application declaration properly addresses the absence of Mr. Levy's signature therein.

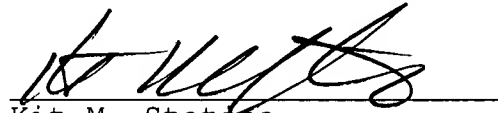
On the basis of the foregoing, Applicant respectfully submits that the stated grounds of rejection have been overcome, and that Claims 1-9 of the present reissue application are now in condition for allowance. An early Notice of Allowance is therefore respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the current Amendment. The attached page is captioned "Version with markings to show changes made".

Respectfully submitted,

Date: 5/01/01

By:



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

7. (Amended) A chip stack comprising:

at least two packaged chips, each of the packaged chips having opposite sides and a multiplicity of leads extending from each of the opposite sides thereof; and

at least one frame extending along at least each of the opposite sides of the packaged chips and comprising:

an upper surface having only first and second rows of conductive pads disposed thereon ~~and, each of the first and second rows of conductive pads~~ extending along a respective ~~ones~~ one of the opposite sides of the packaged chips; and

a lower surface having only third and fourth rows of conductive pads disposed thereon ~~and, each of the third and fourth rows of conductive pads~~ extending along a respective ~~ones~~ one of the opposite sides of the packaged chips;

each of the leads of one of the packaged chips being electrically connected to a respective ~~ones~~ one of the conductive pads of the first and second rows disposed on the upper surface of the frame, with each of the leads of

one of the packaged chips being electrically connected to a respective ~~ones~~ one of the conductive pads of the third and fourth rows disposed on the lower surface of the frame.

9. (Amended) The chip stack of Claim 7 wherein each of the conductive pads of the first and second rows disposed on the upper surface of the frame ~~are~~ is electrically connected to a respective ~~ones~~ one of the conductive pads of the third and fourth rows disposed on the lower surface of the frame.